

REMARKS/ARGUMENTS

This application has been carefully considered in light of the Initial Office Action of June 15, 2004. As a result, minor amendment has been made to the claims and new claims 9-20 added which are directed to combinations including the stand as originally claimed with an archery bow as well as additional combinations of claims 1-8 as originally filed. No new matter has been added.

Claim 1 has been rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent 5,630,407 to Gasser.

Claim 2 has been rejected under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over the reference to Gasser when considered in view of US Patent 2,822,228 to Comer.

Claims 3-7 have been rejected under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over the primary combination of Gasser and Comer when further considered in view of the teachings of US Patent 5,584,282 to McDonald.

Claim 8 has been rejected under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over the primary combination of Gasser and Comer when further considered in view of the secondary reference to McDonald when further considered in view of the teachings of the reference to Nelson, US Patent 2,904,379.

For the reasons set forth below, reconsideration of these grounds for rejection is requested and favorable consideration and allowance of the claims is solicited.

The present invention is directed to a bow stand which includes a pair of leg members which are mounted to a bracket which is secured relative to a bow so that the stand acts as a bi-pod to support the bow with a lower limb of the bow acting as the third part of a stand.

In this respect, the legs are supported by the bracket and extend downwardly therefrom relative to a riser portion of the bow so that the lower portion thereof engages a support surface. The present invention provides for damping members which are mounted to the legs to absorb vibration along the legs when the stand is use.

The Examiner's rejection of claim 1 is based upon considering that the bow stabilizer system shown in the Gasser patent could function as a bow stand and that the weights shown at 10 function as vibration damping portions. Applicant respectfully disagrees with the Examiner's assessment that the stabilizer system of the reference to Gasser would obviously been convertible or used as a bow stand. The specific bracket mechanism and the way that it is mounted with respect to the bracket in the cited reference is such that the stabilizing arms 8 and 9 extend rearwardly toward the bow string generally perpendicularly with respect to the riser of the bow. It is the specific intent that the stabilizers offset and balance with the stabilizer 6 which extends forwardly of the bow and also includes weights shown at 10.

There is no intent to provide a stand structure in the reference to Gasser. It is the specific claimed intent to provide a rearwardly extending stabilizer on either side of the bow by way of the legs 8 and 9 and weights 10. Further, the weights are not functioning as vibration damping portions but are for stabilizing and weighting purposes.

In order to enable the structure of the stabilizer system in Gasser to be used, as is taught and described as a stand in the present invention, one would have to modify the entire mounting structure and defeat the inventive purpose of the stabilizer system. Therefore, it is respectfully submitted that this reference does not

directly anticipate nor provide a sufficient nexus to the structure of the present invention to form a basis for a combination rejection for obviousness.

The present invention is directed to providing a support stand which is provided with vibration damping members or elements mounted thereto. There is no desire for providing a stand nor providing vibration damping for a stand in the cited reference to Gasser. Therefore, reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b) is respectfully requested.

As noted above, as the reference to Gasser does not disclose a stand which can be utilized with a bow, as is taught by the present invention, and as the reference does not anticipate the use of any type of damping elements, it is believed that the reference is not sufficiently structurally or functionally relevant to the present invention to form the basis for a combination rejection for obviousness with respect to the secondary cited references. In addition, it is noted that the references to Comer and Nelson are believed to be non-analogous art. The reference to Comer has been cited in combination with the reference to Gasser in order to anticipate applicant's dependent claims directed to the manner in which the stand legs of the present invention may be adjustably mounted to the bracket. In Comer, the legs are shown as being adjustably mounted at the corners of a table. It is respectfully submitted that a table is non-analogous to the art of archery bows and archery bow stands and, it is not believed that one of ordinary skill in the art of archery bows and archery bow stands would look to the reference to Comer in order to create a bow stand having adjustable legs, as is taught in the present application. Further, even if one were to make the combination, the stabilizer system of

Gasser would still not be function as a bow stand and would not have the damping elements as taught by the present invention.

If anything, the combination would only allow the stabilizer arms 8 and 9 in Gasser to be relatively adjusted, however, they would still be oriented perpendicularly with respect to the bow riser and extend toward the bow string 5, and not function as a stand, and would also have to counterbalance the forwardly extending stabilizer arm shown at 6.

Further, the secondary reference to McDonald has also been considered but is not believed to anticipate the present invention when considered in combination with the primary reference to Gasser for the reasons set forth above. The reference to McDonald does disclose damping elements which may be mounted exteriorly or interiorly of a bow stabilizer arm. Therefore, if one were to make the combination as suggested, the stabilizer arms 6, 8 and 9 disclosed Gasser could be modified to incorporate a damping element as suggested in McDonald but would still not be functioning as a bow stand as is taught by the present invention. Therefore, the resultant structure would not provide the utility nor the functionality of the present invention.

The secondary reference to Nelson, as discussed above, is not believed to be analogous prior art and it is respectfully submitted that one of ordinary skill in the art would not look to this reference to modify a bow mounting stand as described in Gasser. Further, the Examiner cites the screw 17 as being a reinforcing element, however, it is respectfully submitted that the screw is merely a securing means and not a reinforcing element within the definition of such a element as disclosed and claimed in the present invention. Further, it is not known how one would modify the

structure of the primary reference to Gasser to incorporate such a structure as disclosed in the reference to Nelson in order to anticipate applicant's claims.

In view of the foregoing, it is respectfully submitted that the references, taken alone or in combination, do not disclose applicant's invention as claimed. The references do not provide for a stand for bows wherein the legs include damping elements such that vibration damping is effected along the legs when the bow stand is in use supporting a bow vertically relative to a support surface.

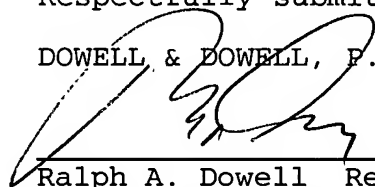
In view of the foregoing, favorable consideration of claims 1-20 is respectfully requested and allowance of the application solicited.

Should the Examiner have any questions concerning the amendment submitted herewith or the allowability of the claims with respect to the prior art, it would be appreciated if the Examiner would contact the undersigned attorney-of-record at the telephone number shown below for purposes of scheduling a personal interview with the undersigned attorney prior to taking any action which may be considered final.

Also please note the new address of the attorney-of-record set forth below and forward all future communications to the new address.

Respectfully submitted,

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